

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**THOMAS TUKA,  
PETITIONER,**

**v.**

**UNITED STATES OF AMERICA,  
INTERNAL REVENUE SERVICE,  
and MATTHEW P. DAVEY, Special Agent,  
IRS,  
RESPONDENTS.**

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**Civil Action No. 3:08-CV-00832-D**

**ORDER ADOPTING RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

After making a *de novo* review of the pleadings, files, and records in this case, and the findings, conclusions, and recommendation of the United States Magistrate Judge, I am of the opinion that the findings, conclusions, and recommendation of the magistrate fudge are correct and are therefore adopted.

**SO ORDERED.**

September 9, 2008.

  
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SIDNEY A. FITZWATER  
CHIEF JUDGE